ECCLESIA LAW

Private Ecclesiastical Counsel
United States & International

NOTICE OF FIDUCIARY BREACH, LAWFUL DISCHARGE, AND DEMAND TO STRIKE PROCEEDINGS

[Last Name], Living Man / Secured Party **TO (Indentured Trustee):** [Name of Trustee Bank, e.g., BNY Mellon], as Indentured Trustee **TO (The Court):** [Name of Court] **CC:** [Mortgage Provider Name], as Nominee/Servicer

DATE: xx, 2026 **RE:** Account No: [Number] | Court Ref: [Reference] | CUSIP/Trust: [If known]

Executive Summary

Fiduciary Enforcement & Record Correction

In contemporary foreclosure proceedings, the "locus of performance" resides with the **Indentured Trustee** rather than the retail mortgage provider. Ecclesia Law has observed that the strategic service of a **Bill of Exchange (BoE)**, compliant with the **Bills of Exchange Act 1882** and **UCC Article 3**, creates a mandatory 72-hour window for the trustee to either settle the account or validly dishonour the instrument. Absent a valid dishonour, the obligation is deemed discharged at the trust level.

This process is further fortified by a **nominee corrective filing (Form 1099-OID)** issued by an **International Grantor Trust**. This filing corrects the regulatory record to expose the provider and trustee as mere nominees, while establishing the living man as the **true creditor** and **Holder in Due Course**. By aligning commercial, fiduciary, and fiscal records, this dual-pathway approach exposes constructive fraud and frequently compels the immediate cessation of foreclosure actions.

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Ecclesia Law operates exclusively under **Attorney-in-Fact mandates** granted by its clients through private powers of attorney, trust indentures, fiduciary appointments, and private contracting structures. Ecclesia Law acts as a **private legal agent**, not as a BAR-regulated public law practice

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1. NOTICE OF LAWFUL DISCHARGE AND STATUTORY ACCEPTANCE

1.1 The alleged mortgage obligation was lawfully discharged via a **Bill of Exchange (BoE)** tendered to the Indentured Trustee on [Insert Date of July Service].

1.2 Under the **Bills of Exchange Act 1882 (§§ 41 & 52)** and **UCC Article 3 (§ 3-603)**, the Trustee was afforded a 72-hour window to validly dishonour the instrument.

1.3 No valid dishonour was received; therefore, silence operates as **legal acceptance** and full settlement of the account at the trust level.

1.4 The Indentured Trustee is now required to apply the statutory mechanism to settle this obligation via the **Treasury/Fedwire** system, as the BoE constitutes an obligation of the United States under **HJR 192** and 18 U.S.C. § 8.

2. NOTICE OF CORRECTIVE IRS FILING (1099-OID)

2.1 Notice is hereby given that the **Richard [Last Name] Grantor Trust** has filed **Form 1099-OID** as a corrective filing under **IRS Publication 1212**.

2.2 This filing identifies the Mortgage Provider and Indentured Trustee as mere **nominees** and corrects the record to identify [Living man/woman] as the **true owner of the credit** and the Holder in Due Course.

2.3 Any continued reporting of the mortgage as an active "debt" by the nominees constitutes **tax evasion** and **regulatory fraud**, as the economic substance of the transaction confirms the borrower's signature created the original deposit.

3. ADVERSE CLAIM AND FIDUCIARY BREACH (UCC ARTICLE 8)

3.1 Under **UCC § 8-105**, [Living man/woman] hereby asserts an **Adverse Claim** to the financial asset (the mortgage note) and all proceeds generated through securitisation.

3.2 The Indentured Trustee's failure to recognize the discharge and its continued pursuit of foreclosure constitutes a **fiduciary breach** under the **Trust Indenture Act 1939 (§ 315)**.

3.3 Proceedings continued after lawful discharge amount to **constructive fraud** and an **abuse of process** (*Hunter v Chief Constable of West Midlands Police [1982] AC 529*).

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4. FINAL DEMAND FOR REMEDY

The following actions must be completed within **7 days** to avoid escalation:

- **Dismissal of Proceedings**: The Mortgage Provider must immediately move to **strike out** the warrant hearing and all possession actions.
- **Discharge Confirmation**: The Trustee must provide a formal letter confirming the account is settled at the indenture level.
- **Registry Removal**: Directives must be issued to the Land Registry to **remove the charge** from the title.
- **Bond Claim Notice**: Failure to comply will result in a **Hybrid Bond Claim** being perfected against the Trustee's fiduciary bond carrier and a **FinCEN Form 111 (SAR)** filing for fiduciary fraud

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